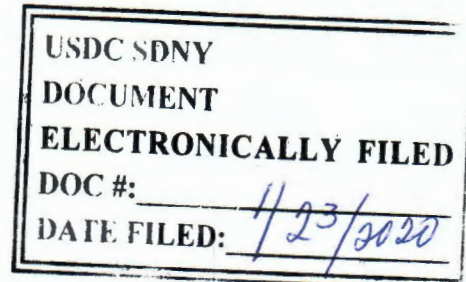


Andrew G. Patel  
Attorney-at-Law  
80 Broad Street, Suite 1900  
New York, New York 10004  
Fax: 646-304-6604  
Apatel@apatellaw.com

Telephone 212-349-0230

By ECF

January 20, 2020



Honorable Victor Marrero  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: United States v. Joshua Mirabal  
16 Cr. 272 (VM)

Dear Judge Marrero,

As the Judgment in this matter has not yet been filed, it is respectfully submitted that Your Honor has jurisdiction to grant the following relief.

Mr. Mirabal has informed me that he wishes to appeal the 300 month sentence that Your Honor imposed on January 17, 2020. It is respectfully requested that Mr. Mirabal be permitted to proceed on the appeal of this matter *In Forma Pauperis*. A proposed Order is attached to this letter for Your Honor's consideration.

The plea agreement that Mr. Mirabal signed contains a waiver of appeal of any sentence at or below the stipulated Guideline sentence of 300 months. Mr. Mirabal does retain the right to seek an appeal on the grounds that he was denied ineffective assistance of counsel. Post sentencing, Mr. Mirabal has informed me that he is dissatisfied with the representation that he received from me and my co-counsel, Mitchell Dinnerstein. It is respectfully requested that new counsel be appointed to perfect any appellate rights that Mr. Mirabal may have and that Mr. Dinnerstein and I be relieved. We will provide our file and cooperate with new counsel to get them up to speed as quickly as possible.

Respectfully submitted,

/s/Andrew Patel  
Andrew G. Patel

encl.

cc: all counsel by ECF  
Joshua Mirabal (by Legal Mail)

The Clerk of Court is directed to enter into the public record of this action the letter above submitted to the Court by <u>Defendant Joshua Mirabal</u>	
SO ORDERED.	
<u>1-22-20</u> DATE	<u>[Signature]</u> VICTOR MARRERO, U.S.D.J.